

REFERENCE TITLE: falconry; captive bred exotic raptors

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2332

Introduced by
Representative Mason

AN ACT

AMENDING SECTIONS 17-236, 17-333 AND 17-371, ARIZONA REVISED STATUTES;
RELATING TO SPORT FALCONRY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 17-236, Arizona Revised Statutes, is amended to
3 read:

4 17-236. Taking birds; possession of raptors

5 A. It is unlawful to take or injure any bird or harass any bird upon
6 its nest, or remove the nests or eggs of any bird, except as may occur in
7 normal horticultural and agricultural practices and except as authorized by
8 commission order. Nothing in this title shall be construed to prohibit the
9 taking of such birds for scientific purposes under permits issued by the
10 commission.

11 B. The commission shall issue licenses to permit the possession and
12 transportation of raptors for sport falconry consistent with the requirements
13 of the migratory bird treaty act (40 Stat. 755; 16 United States Code
14 sections 703 through 711) and the endangered species act of 1973
15 (P.L. 93-205; 87 Stat. 884; 16 United States Code sections 1531 through
16 1544). A LICENSE IS NOT REQUIRED TO POSSESS AND TRANSPORT FOR SPORT FALCONRY
17 PURPOSES RAPTORS THAT ARE NOT LISTED PURSUANT TO THE MIGRATORY BIRD TREATY
18 ACT.

19 Sec. 2. Section 17-333, Arizona Revised Statutes, is amended to read:

20 17-333. Licenses; classes; fees; definition

21 A. Licenses shall be divided into classes and maximum fees to be paid
22 for such licenses are as follows:

23 1. Class A, general fishing license, valid for the taking of all
24 aquatic wildlife, except trout statewide, and aquatic wildlife from
25 commission designated urban waters, resident, twenty-five dollars;
26 nonresident, eighty-five dollars, except that the maximum fee for a class A
27 license issued in November or December is one-half of the fee otherwise
28 prescribed by this paragraph.

29 2. Trout stamp, validates general and lifetime class A licenses for
30 the taking of trout, resident, fifteen dollars; nonresident, sixty dollars.
31 The stamp is valid for a license year and expires on December 31, whether it
32 validates a general or lifetime license.

33 3. Class B, nonresident general four month fishing license, valid for
34 the taking of all aquatic wildlife, except from commission designated urban
35 waters, thirty-eight dollars.

36 4. Class C, nonresident general five-day fishing license, valid for
37 the taking of all aquatic wildlife, except from commission designated urban
38 waters, thirty-four dollars and nine dollars for each additional day.

39 5. Class D, one-day fishing license, valid for the taking of all
40 aquatic wildlife, resident, sixteen dollars and eight dollars for each
41 additional day; nonresident, eighteen dollars and nine dollars for each
42 additional day.

43 6. Resident youth group two-day fishing license, valid for taking all
44 aquatic wildlife, except on the Colorado river, issued to a nonprofit
45 organization which sponsors adult supervised activities for groups of

1 juveniles fourteen years of age through seventeen years of age, not to exceed
2 twenty juveniles for any one group license, twenty-five dollars.

3 7. Class E, Colorado river fishing license, valid for the taking of
4 all aquatic wildlife, nonresident, fifty-five dollars.

5 8. Class F, combination general hunting and fishing license, valid for
6 the taking of all aquatic wildlife, except from commission designated urban
7 waters, small game, fur-bearing animals, predatory animals, nongame animals,
8 nongame birds, upland game birds and migratory game birds, except ducks,
9 geese and swans, resident, sixty dollars; nonresident, two hundred seventy
10 dollars.

11 9. Urban fishing license, valid for taking all aquatic wildlife from
12 commission designated urban waters, residents and nonresidents, twenty-one
13 dollars. The privileges granted by a pioneer license shall include the right
14 to fish in all commission designated urban waters.

15 10. Class G, general hunting license, valid for the taking of small
16 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
17 upland game birds and migratory game birds, except ducks, geese and swans,
18 resident, thirty-five dollars; nonresident, one hundred eighty-five dollars.

19 11. Class H, three-day hunting license, valid for the taking of small
20 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
21 upland game birds and migratory game birds, except ducks, geese and swans,
22 nonresident, sixty-seven dollars.

23 12. Class I, resident family fishing licenses, valid for taking all
24 aquatic wildlife, except aquatic wildlife from commission designated urban
25 waters, issued to members of an immediate family residing in the same
26 household. The fees for persons who are licensed pursuant to this paragraph
27 are:

28 (a) For one adult licensed under this paragraph, the current fee for a
29 class A general fishing license and trout stamp, including any surcharge
30 pursuant to section 17-345.

31 (b) For any additional adult licensed under this paragraph in the
32 immediate family, eighty per cent of the current fee for a class A general
33 fishing license and trout stamp, including any surcharge pursuant to section
34 17-345.

35 (c) Two dollars for any child licensed under this paragraph in the
36 immediate family.

37 13. Class J, resident family hunting license, valid for taking small
38 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
39 upland game birds and migratory game birds, except ducks, geese and swans,
40 issued to members of an immediate family residing in the same household. The
41 fees for persons who are licensed pursuant to this paragraph are:

42 (a) For one adult licensed under this paragraph, the current fee for a
43 class G general hunting license, including any surcharge pursuant to section
44 17-345.

1 (b) For any additional adult licensed under this paragraph in the
2 immediate family, eighty per cent of the current fee for a class G general
3 hunting license, including any surcharge pursuant to section 17-345.

4 (c) Fifteen dollars for any child licensed under this paragraph in the
5 immediate family.

6 14. Class K, combination resident family hunting and fishing license,
7 valid for taking all aquatic wildlife, except from commission designated
8 urban waters, small game, fur-bearing animals, predatory animals, nongame
9 animals, nongame birds, upland game birds and migratory game birds, except
10 ducks, geese and swans, issued to members of an immediate family residing in
11 the same household. The fees for persons who are licensed pursuant to this
12 paragraph are:

13 (a) For one adult licensed under this paragraph, the current fee for a
14 class F combination general hunting and fishing license, including any
15 surcharge pursuant to section 17-345.

16 (b) For any additional adult licensed under this paragraph in the
17 immediate family, eighty per cent of the current fee for a class F
18 combination general hunting and fishing license, including any surcharge
19 pursuant to section 17-345.

20 (c) Twenty dollars for any child licensed under this paragraph in the
21 immediate family.

22 15. Class L, super conservation fishing license, valid for taking all
23 aquatic wildlife, including trout and aquatic wildlife from commission
24 designated urban waters, resident, fifty dollars; nonresident, sixty dollars.

25 16. Class M, super conservation hunting license, valid for taking small
26 game, fur-bearing animals, predatory animals, nongame animals, nongame birds,
27 upland game birds and migratory game birds, except ducks, geese and swans,
28 and including tags and stamps prescribed by the commission, resident, one
29 hundred fifteen dollars.

30 17. Class N, combination super conservation hunting and fishing
31 license, valid for taking all aquatic wildlife, including trout and aquatic
32 wildlife from commission designated urban waters, small game, fur-bearing
33 animals, predatory animals, nongame animals, nongame birds, upland game birds
34 and migratory game birds, except ducks, geese and swans, and including tags
35 and stamps prescribed by the commission, resident, one hundred sixty dollars.

36 18. Javelina tag, validates class F, G, J, K, M or N license for taking
37 javelina, resident, thirty dollars; nonresident, one hundred twenty-five
38 dollars.

39 19. Turkey tag, validates class F, G, J, K, M or N license for taking
40 turkey, resident, twenty-five dollars; nonresident, ninety dollars.

41 20. Bear tag, validates class F, G, J, K, M or N license for the taking
42 of bear, resident, thirty dollars; nonresident, two hundred seventy-five
43 dollars.

- 1 21. Mountain lion tag, validates class F, G, J, K, M or N license for
2 the taking of mountain lion, resident, nineteen dollars; nonresident, two
3 hundred fifty dollars.
- 4 22. Deer tag class A, validates class F, G, J, K, M or N license for
5 the taking of deer, resident, one hundred fifty dollars; nonresident, one
6 thousand two hundred dollars. Deer tag class B, validates class F, G, J, K,
7 M or N, for the taking of deer, resident, fifty dollars; nonresident, three
8 hundred twenty-five dollars. Not more than five per cent of the total deer
9 tags issued in any calendar year shall be class A tags.
- 10 23. Antelope tag, validates class F, G, J, K, M or N license for the
11 taking of antelope, resident, ninety dollars; nonresident, six hundred thirty
12 dollars.
- 13 24. Elk tag class A, validates class F, G, J, K, M or N license for the
14 taking of elk, resident, three hundred fifty dollars; nonresident, three
15 thousand two hundred dollars. Elk tag class B, validates class F, G, J, K, M
16 or N for the taking of elk, resident, one hundred fifty dollars; nonresident,
17 seven hundred seventy-five dollars. Not more than five per cent of the total
18 elk tags issued in any calendar year shall be class A tags.
- 19 25. Bighorn sheep tag, validates class F, G, J, K, M or N license for
20 the taking of bighorn sheep, resident, three hundred thirty-five dollars;
21 nonresident, three thousand dollars.
- 22 26. Private game farm license, seventy-five dollars.
- 23 27. Minnow dealer's license, forty dollars.
- 24 28. Guide license, five hundred dollars.
- 25 29. Taxidermist license, two hundred fifty dollars.
- 26 30. Wildlife hobby license, five dollars.
- 27 31. Zoo license, one hundred thirty dollars.
- 28 32. Shooting preserve license, one hundred thirty dollars.
- 29 33. Field trial license, seven dollars.
- 30 34. Trapping license, resident, fifty dollars; nonresident, five
31 hundred dollars; resident juvenile trapping license, fourteen years of age
32 through seventeen years of age, thirty dollars.
- 33 35. Fur dealer's license, one hundred thirty dollars.
- 34 36. Permit application fee, ten dollars.
- 35 37. State waterfowl stamp, validates class F, G, H, K, L, M or N
36 license for taking ducks, geese and swans, ten dollars.
- 37 38. State migratory bird stamp, validates class F, G or H license or
38 complimentary or lifetime license for taking migratory birds or grouse, six
39 dollars.
- 40 39. White amur (*ctenopharyngodon idellus*) stocking license, three
41 hundred dollars.
- 42 40. License dealer's license, a minimum of twenty-five dollars and a
43 maximum of one hundred twenty-five dollars provided, however, that the
44 maximum of one hundred twenty-five dollars may be exceeded by a dealer with

1 multiple business establishments who shall pay an additional fee of
2 twenty-five dollars for each establishment at which licenses will be sold.

3 41. Resident lifetime classes A, F and G licenses and resident lifetime
4 trout stamp as provided by section 17-335.01.

5 42. Two-pole stamp, validates general or lifetime class A, B, C, D, E
6 or F license, pioneer or urban fishing license or class I fishing license
7 issued to an individual member of an immediate family for simultaneous
8 fishing with two lines, resident, eight dollars; nonresident, twenty-four
9 dollars. The stamp is valid for a license year and expires on December 31
10 regardless of whether it validates a general or lifetime license.

11 43. Sport falconry license, valid for possessing and transporting
12 raptors [AS PROVIDED BY SECTION 17-236, SUBSECTION B AND](#) as prescribed by the
13 commission and validates class G general hunting license for hunting or
14 taking quarry with a trained raptor, one hundred dollars. The license is
15 valid from the date it is issued by the department until the third December
16 from the date of issue.

17 B. The commission shall set fees for classes of licenses designated in
18 subsection A of this section for firearms, bow and arrow and all other
19 authorized devices within the maximum limit authorized. The commission may
20 establish subclassifications within a class of license, permit or tag and set
21 a fee for each subclassification within the maximum authorized limit. The
22 commission may reduce license fees any amount deemed necessary. If it
23 becomes necessary to limit or further regulate the taking of any species of
24 wildlife, the commission may order issuance of an additional license or
25 permit and fix fees for such license or permit.

26 C. For the purposes of this section, "immediate family" means one
27 adult, or two adults who are married to each other, and their minor children,
28 if any, who will be at least fourteen years of age during the license year,
29 including adoptive children, stepchildren, foster children and other children
30 for whom they are legal guardians.

31 Sec. 3. Section 17-371, Arizona Revised Statutes, is amended to read:
32 [17-371. Transportation, possession and sale of wildlife and](#)
33 [wildlife parts](#)

34 A. A person may transport in his possession his legally taken
35 wildlife, or may authorize the transportation of his legally taken big game,
36 provided such big game or any part thereof has attached thereto a valid
37 transportation permit issued by the department. Such wildlife shall be
38 transported in such manner that it may be inspected by authorized persons
39 upon demand until the wildlife is packaged or stored. Species of wildlife,
40 other than game species, may be transported in any manner unless otherwise
41 specified by the commission. A person possessing a valid license may
42 transport lawfully taken wildlife other than big game given to him but in no
43 event shall any person possess more than one bag or possession limit.

44 B. A holder of a resident license shall not transport from a point
45 within to a point without the state any big game species or parts thereof

1 without first having obtained a special permit issued by the department or
2 its authorized agent.

3 C. Migratory birds may be possessed and transported in accordance with
4 the migratory bird treaty act (40 STAT. 755; 16 UNITED STATES CODE SECTIONS
5 703 THROUGH 711) and regulations ~~thereunder~~ UNDER THAT ACT.

6 D. A holder of a sport falconry license may transport one or more
7 raptors that the person lawfully possesses under terms and conditions
8 prescribed by the commission. REGARDLESS OF WHETHER A PERSON HOLDS A SPORT
9 FALCONRY LICENSE, THE PERSON MAY TRANSPORT FOR SPORT FALCONRY PURPOSES ONE OR
10 MORE RAPTORS THAT ARE NOT LISTED PURSUANT TO THE MIGRATORY BIRD TREATY ACT.

11 E. Heads, horns, antlers, hides, feet, or skin of wildlife lawfully
12 taken, or the treated or mounted specimens thereof, may be possessed, sold
13 and transported at any time, except that:

14 1. Migratory birds may be possessed and transported only in accordance
15 with federal regulations.

16 2. It is unlawful to sell the heads, horns, hides, feet or skin of
17 bighorn sheep taken on or after October 1, 2005, but the department may sell
18 heads, horns, hides, feet or skin of bighorn sheep that were illegally taken
19 and confiscated by or donated to the department.